REMARKS

I.   Summary of the Office Action

Claims 1-33 are pending in this application.

Claims 1, 2, 4-11, 14-17, 19-26, and 28-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by Paravia et al. U.S. Patent 6,508,710 (hereinafter "Paravia").

Claims 12, 16, 18, and 27 are rejected under 35 U.S.C. § 102(e) as being anticipated by Alcorn et al. U.S. Patent No. 6,104,815 (hereinafter "Alcorn").

Claims 12, 13, 16, 18, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Paravia and Alcorn.

II.   Summary of Applicants' Reply

Applicants have amended claims 1, 2, 6, 8, 12-14, 16, 17, 21, 23, 27, and 29. New claims 34-79 have been added. No new matter has been added by the amendments or the new claims.

The Examiner's rejections are respectfully traversed.

III. Applicants' Reply to the Rejections of Claims 1 & 16

   A.   Applicants' Invention

        Applicants' independent claims 1 and 16 are directed
to a system and method in which an interactive wagering
application is used to restrict wagering access. The
interactive wagering application determines a geographic
location of user equipment (e.g., by using automatic number
information, global positioning information, or internet service
provider information) and checks whether wagering is allowed in
the geographic location of the user equipment. To more
particularly define the invention, claims 1 and 16 have been
amended to include the feature of providing the user equipment
with a location verification token when the user equipment is
located in a geographic area where wagering is allowed. This
feature was incorporated into claims 1 and 16 from dependent
claims 6 and 21, which have been amended.

        Claims 1 and 16 have been further amended to specify
that the interactive wagering application determines whether the
location verification token is valid (e.g., ensuring that the
location verification token has not expired). Support for this

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added feature is found on page 49, lines 14-18 of applicants'

specification.

Claims 1 and 16 have been further amended to specify

that wagering access is restricted when the user equipment does

not have a valid location verification token. This can be seen,

for example, in applicants' FIG. 16 where wagering access is

provided at step 1620 if the user equipment has a valid location

verification token, or where wagering access is restricted at

step 1630 if the user equipment does not have the valid location

verification token.

B.   The Paravia Rejection

Independent claims 1 and 16 were rejected under 35

U.S.C. § 102(e) as being anticipated by Paravia. The Examiner's

rejection is respectfully traversed.

Paravia refers generally to a computerized gaming

system that enables participants to remotely access the gaming

system to place wagers on gaming events. Paravia discloses

several different methods for determining the location of a

player and restricting wagering access if the player is located

in an unauthorized location.

Column 18, line 24 through column 20, line 2 and FIGS.
11 and 12 refer to one method Paravia uses to determine user
location and to restrict wagering access. In this method, the
gaming system establishes a communications link between a
location verification module and the player's equipment. When
this link is established, the gaming system analyzes the
player's location (step 1124) using, for example, Automatic
Number Identification (ANI) data. ANI data allows the gaming
system to identify the location of the calling party (i.e., the
player's modem may establish a dial-up link with the gaming
system during which ANI data is obtained). After the player's
location is analyzed, the gaming system verifies whether the
player is at an authorized location that allows wagering (see
step 1126 of FIG. 12). If the player's location is invalid, the
communications link is terminated (step 1128) and the player is
precluded from wagering. On the other hand, if the location is
valid, the player's wager is registered with the gaming system
and is made official (see step 1130).

Paravia discloses that there is a transfer of data
between the player's equipment and the location verification
module, but there is no showing or suggestion that any of this

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data functions as applicants' location verification token. The location verification module obtains location data (e.g., ANI data) so it can determine whether the player is in a location where wagering allowed. However, the steps of obtaining location data and analyzing that data does not show or suggest applicants' feature of providing a location verification token to the user equipment when the user equipment is located in a location where wagering is allowed, as defined in claims 1 and 16.

Moreover, even if the method disclosed in connection with FIGS. 11 and 12 of Paravias can be construed to transfer data when the user equipment is located in a location where wagering is allowed, there is no showing or suggestion of using an interactive wagering application to verify whether that data is valid. Nor does Paravia show or suggest that wagering access is restricted when the user equipment does not have valid data (e.g., a valid location verification token).

Accordingly, for at least the foregoing reasons, claims 1 and 16 are allowable over the location verification process of Paravia.

Column 20, line 9 through column 22, line 19 and

FIGS. 14 and 15 refer to another method Paravia uses to

determine user location and to restrict wagering. In this

method, the gaming system initiates a call-back wagering process

to verify the player's location and to officially register the

player's gaming selections (e.g., wagers). FIG. 14 shows the

steps preceding the call-back process, such as connecting to a

gaming server (step 1160), inputting gaming selections (step

1166), and confirming gaming selections (step 1168). After the

selections are confirmed, the call-back wagering process is

initiated (step 1170).

FIG. 15 shows a detailed flowchart of the call-back

wagering process. During the call-back wagering process, the

gaming server establishes a link with the user's terminal

(step 1182 of FIG. 15) and determines if the player is in

authorized location (step 1184). Paravia states that ANI data

can be used to determine player location at column 21, lines 33-

35. If the player's location is valid, the call-back process

performs other steps and officially registers the player's wager

(see step 1196). However, if the player's location is not

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valid, the call-back process is terminated and the player is precluded from wagering (see step 1186).

The Examiner contends that the call-back process of Paravia is equivalent to applicants' feature of providing a location verification token. This contention stems from the Examiner's rejection of claims 6 and 21, which have been incorporated into claims 1 and 16. Applicants respectfully submit that the call-back process is not equivalent to providing a location verification token to the user equipment. The call-back process does nothing more than establish a connection between the player's terminal and the gaming server, verify whether the player is in an authorized location, and officially register the player's wager if the location is valid. Thus, there is no showing or suggestion that the call-back process of Paravia provides a location verification token to the user equipment when the user equipment is in a location where wagering is allowed, as defined in claims 1 and 16.

Moreover, even if the call-back process of Paravia can be construed to transmit data when the user equipment is in a location where wagering is allowed, there is no showing or suggestion of using an interactive wagering application to

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verify whether that data is valid. In addition, the call-back

process of Paravia fails to show or suggest restricting wagering

access when the user equipment does not have valid data (e.g., a

valid location verification token).

Accordingly, for at least the foregoing reasons,

claims 1 and 16 are allowable over the call-back process of

Paravia.

The Examiner contends that recognizing an address such

as an Internet Protocol (IP) address is equivalent to providing

a location verification token. This contention stems from the

Examiner's rejection of dependent claims 6 and 21 (Office

Action, Pages 3 and 4). According to Paravia, recognizing an IP

address is a step used by the gaming system to identify a

particular player, not to determine the location of the player

(Paravia, column 7, lines 38-46). While there may be an

exchange of data to determine the identity of the player, this

data is not provided to the user equipment when the user

equipment is in a location where wagering is allowed, as defined

in claims 1 and 16.

Moreover, none of the data associated with recognizing

an IP address shows or suggest using an interactive wagering

application to verify whether that data is valid. Nor does

Paravia show or suggest that wagering access is restricted when

the user equipment does not have valid data (e.g., a valid

location verification token).

Accordingly, for at least the foregoing reasons,

claims 1 and 16 are allowable over the IP address recognition

process of Paravia.

Therefore, for at least the foregoing reasons,

applicants respectfully submit that independent claims 1 and 16

are allowable over Paravia and that the rejection be withdrawn.

C.   The Alcorn Rejection

Independent claim 16 was rejected under 35 U.S.C. §

102(e) as being anticipated by Alcorn. The Examiner's rejection

is respectfully traversed.

Alcorn generally refers to an interactive gaming

system that can determine the location of remote terminals using

a global positioning satellite system, the operation of which is

generally described in connection with FIGS. 3 and 4. FIG. 3

shows operations that take place at the remote terminal, where

the user presides. The remote terminal connects to a gaming

server, obtains latitude and longitude data, obtains time data,

obtains user data, encrypts the data, and sends the encrypted

data to a server (column 6, line 64 to column 7, line 7).

FIG. 4 shows operations that take place at the server.

The server decrypts the received data to determine whether the

data identifies a valid user (column 7, lines 8-12). A user is

determined valid if the latitude and longitude data, time data,

and user data satisfy certain criteria (column 7, lines 12-23).

If any of these criteria are invalid, the server returns a "not

authorized to play" signal, which indicates that the user is not

permitted to wager. Conversely, if all requirements are met,

the server returns an "authorized to play" signal and the user

is permitted to place wagers (column 7, lines 24-25).

Alcorn discloses that data such as GPS location data

and authorized to play signals are transferred between the

remote terminal and the server. Despite the presence of this

data, Alcorn fails to show or suggest the verification of data

that functions as applicants' location verification token.

Particularly, Alcorn fails to show or suggest using an

interactive wagering application to verify if a location

verification token is valid, where the token is provided to the

user equipment when it is determined that the user equipment is

in a location where wagering is allowed.

Furthermore, Alcorn restricts wagering when one of the

above mentioned criteria (e.g., location data, time data, or

user data) are found invalid. In contrast to Alcorn, applicants

invention restricts wagering access when the user equipment does

not have a valid location verification token as specified by

claims 1 and 16.

Accordingly, for at least these reasons, applicants

respectfully submit that independent claim 16 is allowable over

Alcorn and the rejection over Alcorn should be withdrawn.

D.   The Rejection under Paravia and Alcorn

Independent claim 16 was rejected under 35 U.S.C. §

103(a) as being unpatentable over Paravia in view of Alcron.

The Examiner's rejection is respectfully traversed.

Applicants believe that the Examiner may have

accidentally rejected claim 16 under 35 U.S.C. § 103(a) because

the Examiner did not set forth any reasoning in support of this

rejection. According to the requirements of MPEP § 706.02(j),

an Examiner must "set forth a) the relevant teachings of the

prior art relied upon, b) the difference or differences in the

claim over the applied references, c) the proposed modification

of the applied references necessary to arrive at the claimed

subject matter, and d) an explanation why one of ordinary skill

in the art at the time the invention was made would have been

motivated to make the proposed modification" in order to

substantiate a rejection under § 103(a). Thus, with respect to

claim 16, the Examiner did not communicate factors (a) through

(d), as described above.

Accordingly, because the basis of rejection has not

been properly communicated, applicants submit that there is no

basis for rejection and that the rejection be withdrawn.

Applicants also submit the combination of Paravia and

Alcorn would not result in applicants' invention because as

described above neither Paravia nor Alcorn show or suggest the

combination of the following features of (a) providing a

location verification token to user equipment when the user

equipment is in a location where wagering is allowed, (b) using

the interactive wagering application to verify if the location

verification token is valid, and (c) restricting wagering access

when the user equipment does not have a valid location

verification token as defined by claims 1 and 16.

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IV. Applicants' Reply to the Rejections of Claims 12 & 27

    A.   Applicants' invention

         Applicants' independent claims 12 and 27 are directed

to a system and method that enables user equipment to verify

whether it is located in a geographic location where wagering is

allowed by using an interactive wagering application. The

interactive wagering application uses an integrated receiver

decoder to receive blackout information. Claims 12 and 27 have

been amended to specify that blackout information indicates

geographic areas that prohibit wagering. Support for this

amendment can be found, for example, on page 11, lines 28-35.

         Claims 12 and 27 also specify that the interactive

wagering application receives location information that

indicates the geographic location of the user equipment.

         Claims 12 and 27 have been further amended to specify

that the blackout information and the location information are

compared at the user equipment to determine whether the user

equipment is located in a geographic location where wagering is

allowed. Support for this amendment can be found, for example,

on page 42, lines 8-31.

B.   The Alcorn Rejection

Independent claims 12 and 27 were rejected under

35 U.S.C. § 102(e) as being anticipated by Alcorn.   The

Examiner's rejection is respectfully traversed.

As discussed above, Alcorn generally refers to an

interactive gaming system that can determine the location of

remote terminals using a global positioning satellite system.

However, nowhere in Alcorn does it show or suggest applicants'

claimed feature of using an integrated receiver decoder to

receive blackout information, wherein blackout information

indicates geographic locations that prohibit wagering.

The Examiner points to column 8, lines 26-41 of Alcorn

to contend that Alcorn receives blackout information.   This

section of Alcorn discloses various components of a remote

terminal such as a game player module, a CD-ROM drive, and a GPS

module.   However, there is no showing or suggestion in Alcorn

that this remote terminal receives blackout information, as

defined by applicants' invention.

In addition, Alcorn shows that the remote terminal

receives latitude and longitude data, time data, and user input

data, but there is no indication that the user equipment

receives blackout information that indicates geographic

locations that prohibit wagering as specified in claims 12 and

27. FIG. 4 of Alcorn states that it uses latitude and longitude

data of the remote terminal to verify whether it is in a valid

location (column 7, lines 14-17 of Alcorn). However, Alcorn

does not show or suggest comparing blackout information and

location information at the user equipment to determine whether

the user equipment is located in a geographic area that allows

wagering, as specified by claims 12 and 27.

Moreover, even assuming *arguendo* that Alcorn does

compare location information with information that is being

construed as blackout information, there is no showing or

suggestion that the comparison would be performed at the user

equipment. In fact, Alcorn shows that location validation steps

occur at the server (see FIG. 4 of Alcorn), not at the user

equipment as specified by claims 12 and 27.

Accordingly, for at least the forgoing reasons,

applicants respectfully submit that claims 12 and 27 are

allowable over Alcorn and that the rejection be withdrawn.

C.   The Rejection under Paravia and Alcorn

Independent claims 12 and 27 were rejected under

35 U.S.C. § 103(a) as being unpatentable over Paravia in view of

Alcorn.   The Examiner's rejection is respectfully traversed.

The Examiner concedes that Paravia does not disclose

applicants' feature of using an integrated receiver decoder to

receive blackout information.   The Examiner, however, contends

that Alcorn discloses this feature.   However, as discussed in

section IV, part B of this Reply, applicants' amended feature of

using an integrated receiver decoder to receive blackout

information, wherein blackout information indicates geographic

locations that prohibit wagering is not shown or suggested by

Alcorn.

The systems of Paravia and Alcorn are able to

determine the location of a user and verify whether the user is

in an authorized location to place wagers.   However, neither

Paravia nor Alcorn, whether taken alone, or in combination, show

or suggest comparing blackout information and location

information at the user equipment to determine if the user

equipment is located in a geographic region where wagering is

allowed.

Accordingly, for at least the foregoing reasons, claims 12 and 27 are patentable over Paravia and Alcorn and the rejection should be withdrawn.

V.   Applicants' Reply to the Rejection of Claims 14 and 29

   A.   Applicants' Invention

Claims 14 and 29 are directed to a system and method for verifying that user equipment is located in a geographic location where wagering is allowed. As specified in claims 14 and 29, the geographic location of the user equipment is determined, and if the user equipment is located where wagering is allowed, a location verification token is provided to the user equipment by an interactive wagering system.

Claims 14 and 29 have been amended to specify that the location verification token is stored on the user equipment. Support for this feature is found on page 47, lines 15-18 of applicants' specification.

Claims 14 and 29 have been further amended to specify that wagering access is restricted when the location verification token is not stored on the user equipment.

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B.   The Paravia Rejection

Claims 14 and 29 were rejected under

35 U.S.C. § 102(e) as being anticipated by Paravia.   Applicants

respectfully traverse the rejection.

Paravia refers generally to a computerized gaming

system that enables participants to remotely access the gaming

system to place wagers on gaming events.   Paravia discloses

several different methods, as discussed above, for determining

the location of a player and restricting wagering access if the

player is located in an unauthorized location.

The Examiner contends that recognizing an address

(e.g., IP address) is equivalent to providing a location

verification token (Office Action, page 6, lines 2-3).   As

discussed above in part III, section B, Paravia recognizes

addresses (e.g., an IP address) to identify a player, not to

determine the location of the player.   Thus, recognizing the

identity of a player does not show or suggest providing a

location verification token to user equipment when the user

equipment is located in a location where wagering is allowed, as

define in claims 14 and 29.   Moreover, even if the process of

recognizing an address can be construed to transfer data to user

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equipment when the user equipment is located in a location where

wagering is allowed, there is no showing or suggestion that data

affiliated with recognizing an address is stored on the user

equipment. Nor is there any showing or suggestion that wagering

is restricted when the data (e.g., location verification token)

is not stored on the user equipment, as defined by claims 14 and

29.

The Examiner also contends that Paravia's call-back

feature is equivalent to providing a location verification token

(Office Action, page 6, lines 3-5). As discussed above in

section III, part B, performing a call-back function is another

method for verifying the user equipment's location. Merely

determining the location of user equipment is not the same as

providing a token to the user equipment when the user equipment

is in a location where wagering is allowed. Thus, there is no

showing or suggestion that the call-back process of Paravia

provides a location verification token to the user equipment

when the user equipment is in a location where wagering is

allowed, as defined in claims 1 and 16.

Moreover, even if the call-back process of Paravia can

be construed to transmit data when the user equipment is in a

location where wagering is allowed, there is no showing or suggestion that such data (e.g., a location verification token) is stored on the user equipment. In addition, the call-back process of Paravia fails to show or suggest restricting wagering access when the location verification token is not stored on the user equipment, as defined in claims 1 and 16.

As discussed above in section III, part B, Paravia discloses techniques for restricting wagering access to users that are not located in geographic regions that prohibit wagering. However, Paravia does not specifically show or suggest that wagering is restricted when a location verification token is not stored on the user equipment as defined by applicants' claims 14 and 29. Rather, Paravia restricts wagering solely based on the verified location of the player, not whether the user equipment has data that functions as applicants' location verification token and is stored on the user equipment.

Accordingly, for at least the foregoing reasons, applicants respectfully submit that claims 14 and 29 are allowable over Paravia and that the rejection should be withdrawn.

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Applicants also submit that the combination of Paravia

and Alcorn would not result in applicants' invention because as

described above neither Paravia nor Alcorn show or suggest the

combination of the following features of (a) providing the user

equipment with a location verification token when the user

equipment is located at a location where wagering is allowed,

wherein the token is provided by an interactive wagering system,

and wherein the token is stored on the user equipment, and (b)

restricting wagering access when the user equipment does not

have the location verification token.

VI. Applicants' Reply to the Rejection
of the Remaining Claims

Claims 2, 4-11, 15, 17, 19-26, 28, and 30-33 were

rejected under 35 U.S.C. § 102(e) as being anticipated by

Paravia. Claim 18 was rejected under 35 U.S.C. § 102(e) as

being anticipated by Alcorn. Claim 13 was rejected under 35

U.S.C. § 103(a) as being unpatentable over Paravia in view of

Alcorn.

Each of these rejections is respectfully traversed.

Because applicants have demonstrated in the foregoing

that independent claims 1, 12, 16, and 27 are allowable,

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dependent claims 2, 4-11, 13, 15, 17, 18-26, 28, and 30-33 are also allowable.

VII. <u>New Claims</u>

New claims 34-79 have been added. No new matter has been added by any of these claims. New dependent claims 34-39 are allowable because they depend from one of independent claims 1, 12, 16, and 27, all of which as demonstrated above are allowable. New claims 40-53 and 58-71 are similar to claim 1-11, 16-26, and 31-35 and should be allowable for similar reasons as to why claims 1-11, 16-26, and 31-35 are allowable. New claims 54-57 and 72-75 are similar to claims 12, 13, 27, 28, and 36-39 and should be allowable for similar reasons as to why claims 12, 13, 27, 28, and 36-39 are allowable. New claims 76-79 are similar to claims 14, 15, 29 and 30 and should be allowable for similar reasons claims 14, 15, 29, and 30 are allowable.
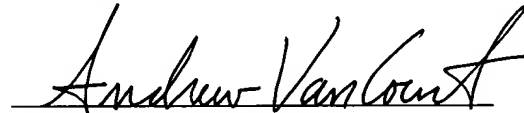
Therefore, applicants respectfully submit that new claims 34-79 are allowable.

VIII. <u>Conclusion</u>

The foregoing demonstrates that claims 1-79 are allowable. Applicants respectfully submit that this patent application is in condition for allowance. Reconsideration and allowance are respectfully requested.

Respectfully Submitted,

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